

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 PM-07 INR-10 L-03 NEA-10

NSAE-00 PA-03 RSC-01 PRS-01 USIA-15 TRSE-00 MBFR-03

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FM USMISSION NATO

TO SECSTATE WASHDC 942

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S E C R E T USNATO 3522

E.O. 11652: GDS

TAGS: PARM, NATO

SUBJECT: COUNCIL DISCUSSION JULY 25; LIBYAN DANGER AND RESTRICTED
ZONES

REF: A) USNATO 2779; B) STATE 084198

SUMMARY: COUNCIL DISCUSSION OF PARA 63 OF MEDITERRANEAN REPORT
RE ALLIANCE APPROACH TO LIBYAN DANGER/RESTRICTED ZONE PROBLEM ENDED
INCONCLUSIVELY WITH AGREEMENT TO DISCUSS FURTHER AFTER CONSIDERATION
OF REVISED IS TEXT. FRENCH REMAIN CONCERNED OSTENSIBLY ABOUT
POSSIBLE LIBYAN REACTION TO NATO POSITION IF IT BECAME PUBLIC AND
BRITISH ARE RELUCTANT TO TAKE FIRM STAND GIVEN RESTRICTED AREA
THEY MAINTAIN OFF MALTA. DISCUSSION WILL PROBABLY BE RESUMED AT
NAC MEETING AUGUST 1. END SUMMARY

1. SYG CIRCULATED FOLLOWING DRAFT TEXT TO REPLACE PARA 63 OF
C-M(73)49, REVISED, "THE SITUATION IN THE MEDITERREAN NOVEMBER
1972-MAY 1973."

BEGIN TEXT

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THE FORCES OF NATO NATIONS EXECUTING TASKS, EITHER UNDER
NATIONAL OR NATO COMMAND/CONTROL ARRANGEMENTS, AND OPERATING IN
THE VICINITY OF THE INTERNATIONAL AIR SPACE AND ON THOSE PARTS
OF THE HIGH SEAS WHICH ARE INCLUDED IN THE LIBYAN DESIGNATED

RESTRICTED AREA HLR 22, SHALL CONTINUE TO EXERCISE THEIR RIGHTS OF FREEDOM OF THE HIGH SEAS AND THE APPROPRIATE AIRSPACE THERETO. HOWEVER, SUCH OPERATIONS SHOULD BE CONDUCTED WITH EXTREME CAUTION AND IN SUCH A MANNER AS NOT TO VIOLATE LIBYAN SOVEREIGN TERRITORY AND AIRSPACE (A). NATO MEMBERS WHO DO NOT HAVE SIMILAR "RESTRICTED" AREAS OVER THE HIGH SEAS MAY INDIVIDUALLY WISH TO URGE LARG TO REDESIGNATE HLR 22 AS A DANGER AREA IN CONFORMITY WITH INTERNATIONAL LAW OR TO DISESTABLISH THE AREA. THE PROBLEMS ARISING OUT OF THE LIBYAN RESTRICTED AREA AND DANGER AREAS WHICH ARE OVER THE HIGH SEAS SHOULD BE REVIEWED PERIODICALLY (B).

END TEXT

(NOTE: FOREGOING TEXT COMBINES FIRST TWO SENTENCES OF PARA 5 OF MCM 38-73, "LIBYAN RESTIRCTIONS AND OFFENSIVE ACTION IN INTER-NATIONAL AIRSPACE/WATERS" AND LAST TWO SENTENCES OF PRESENT PARA 63 OF C-M(73)49.)

2. SYG NOTED NEW TEXT WAS DESIGNED TO TAKE INTO ACCOUNT ITALIAN PREFERENCE FOR A COMBINED ALLIANCE APPROACH ON BOTH THE POLITICAL AND MILITARY ASPECTS OF THE PROBLEM AND THEIR VIEW THAT THE MATTER SHOULD BE REMOVED FROM THE AD HOC DRAFTING GROUP ON THE MEDITER-RANEAN AND REVIEWED BY THE POLITICAL COMMITTEE AT REGUALR INTERVALS. HE ASKED WHETHER COUNCIL COULD AGREE TO THE REVISED TEXT.

3. MCAULIFFE (U.S.) SAID HIS INSTRUCTIONS PERMITTED HIM TO ACCEPT THE REVISED TEXT. DE ROSE (FRANCE) SAID FRENCH RESERVATIONS WOULD NOT BE REMOVED AS A RESULT OF REVISED TEXT. APART FROM LEGAL ASPECTS, HE BELIEVED FACT THAT NAC WAS TAKING A STAND MIGHT BECOME KNOWN PUBLICLY AND WOULD BE POLITICALLY DAMAGING IN DEALING WITH THE LIBYAN GOVERNMENT THOUGH HE ACKNOWLEDGED THAT LIBYAN POSITION WAS PRETENTIOUS, EXTRAVAGANT AND SHOULD NOT BE ACCEPTED, DE ROSE BELIEVED HIS GOVERNMENT WOULD CONTINUE TO OPPOSE A COUNCIL TEXT ON THESE LINES.

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4. SYG POINTED OUT TEXT WOULD NOT CHANGE THE SITUATION ON THE SPOT AND THAT IN PRACTICE "BUSINESS AS USUAL" WOULD BE CARRIED OUT. IT WAS IMPORTANT, HOWEVER, TO KNOW WHAT THE ALLIANCE THINKS ABOUT THE PROBLEM. AT SYG'S SUGGESTION, DE ROSE RELUCTANTLY AGREED AD REFERENDUM TO ACCEPT A FOOTNOTE DISSOCIATING FRANCE FROM THE TEXT OF THIS PARA. HE POINTED OUT, HOWEVER, THAT WHAT WORRIED HIS AUTHORITIES WAS THE PUBLICITY THAT MIGHT BE ATTACHED TO SUCH A POSITION AND THE LIBYAN REACTION THERETO.

5. PECK (UK) NOTED UK ITSELF MAINTAINED A RESTRICTED AREA OF UNLIMITED ALTITUDE OFF MALTA AND, WHILE HIS GOVERNMENT WOULD NOT WISH TO INHIBIT ALLIANCE PARTNERS IN TAKING CERTAIN ACTIONS, HMG COULD NOT TAKE TOO CATEGORICAL A STAND ON THE ISSUE. HE ALSO NOTED THAT FIRST SENTENCE OF REVISED TEXT SEEMED ALMOST MANDATORY, I.E., THAT

NATO UNITS MUST EXERCISE THE RIGHTS IN QUESTION. HE PREFERRED TO ADD THE WORDS, "IN PRINCIPLE" AFTER "CONTINUE." ON THAT BASIS, HE COULD ACCEPT THE REVISED TEXT AD REF.

6. DE ROSE INTERVENED TO SAY THAT ALLIES WERE OBVIOUSLY NOT ALL AGREED ON SUBSTANCE OF THE STATEMENT AND IN ADDITION HE QUESTIONED USE OF THE PHRASE, "FORCES OF NATO NATIONS." DE STAERCCKE (BELGIUM) THOUGHT IT POSSIBLE TO IMPROVE ON THE TEXT AND SUGGESTED PERMREPS REFLECT FURTHER ON THE MATTER AND DISCUSS AGAIN. THIS WAS AGREED, SYG NOTING THAT FURTHER DISCUSSION COULD TAKE PLACE AT NAC MEETING AUGUST 1.

7. COMMENT: WE BELIEVE PROPOSED REVISION OF PARA 63 MEETS GENERAL OBJECTIVES WASHINGTON HAD IN MIND IN ITS PREFERRED VERSION OF THIS PARAGRAPH (REFTEL B). IN ORDER TO FACILITATE AGREEMENT, KEEP ITALIANS ON BOARD AND REDUCE TEXTUAL DISCUSSION TO A MINIMUM, WE WOULD PREFER TO MAINTAIN OUR ACCEPTANCE OF REVISED TEXT AND PROPOSE TO DO SO UNLESS OTHERWISE INSTRUCTED.
MCAULIFFE

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